

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 TEMAHAGARI RUBIN,

14 Defendant.

CASE NO. CR16-0278-JCC

ORDER

15 This matter comes before the Court on Defendant's unopposed motion for a competency
16 examination (Dkt. No. 78). Based upon counsel's representations, there is reasonable cause to
17 believe that Defendant may presently be suffering from a mental disease or defect rendering him
18 mentally incompetent to the extent that he is unable to understand the nature and consequences
19 of the proceedings against him or to assist properly in his defense. 18 U.S.C. § 4241(a).

20 Accordingly, the Court ORDERS:

21 1. A competency examination be conducted on Defendant Temahagari Rubin.

22 2. Pursuant to 18 U.S.C. sections 4241 and 4247(b), Defendant shall be committed to the
23 custody of the Attorney General for a period not to exceed 30 days, and be examined during that
24 time by a psychiatrist and/or psychologist chosen by the Attorney General who shall conduct a
25 competency examination to attempt to determine if Defendant is able to understand the nature
26 and consequences of the proceedings against him and if he is able to assist in his defense.

1 3. The examining psychiatrist and/or psychologist shall prepare an examination report
2 pursuant to 18 U.S.C. section 4247(c), file that report with the Court, and provide copies to
3 counsel for Defendant and the United States. The report shall include the following:

4 (1) Defendant's history and present symptoms.
5 (2) A description of the psychiatric, psychological and medical tests that were
6 employed and their results.
7 (3) The examiner's findings.
8 (4) The examiner's opinion as to diagnosis, prognosis, and whether Defendant is
9 suffering from a mental disease or defect rendering him mentally incompetent to
10 understand the nature and consequences of the proceedings against him, or to
11 assist properly in his defense, as defined in 18 U.S.C. section 4241(a).
12 (5) The examiner's opinion as to whether Defendant presents a danger to himself or
13 society if released on bond.

14 The Clerk is DIRECTED to file and maintain the resulting report, once received, under
15 seal.

16 DATED this 13th day of August 2018.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE